

Advance Policy Questions for Ambassador Linton F. Brooks, Nominee to be Under Secretary for Nuclear Security, Department of Energy and Administrator, National Nuclear Security Administration

Qualifications

- Q. What background and experience do you have that you believe qualifies you for this position?**
- A.** I have over four decades of experience in national security, much of it associated with nuclear weapons. I deployed on four nuclear-equipped ships, serving as Weapons, Executive, and Commanding Officer. In Washington I had assignments as Special Assistant to the Assistant to the Secretary of Defense for Atomic Energy, responsible for all Navy nuclear programs and for international nuclear weapons cooperation, as Director of the Navy's Strategic and Theater Nuclear Warfare Division, and as Director of Defense Programs on the staff of the National Security Council. In the latter assignment I was the White House official responsible, among other things, for all Department of Energy nuclear programs and for U.S. nuclear testing policy during the final third of the Reagan Administration. Finally, I have served in the National Nuclear Security Administration for 16 months, the last seven as Acting Administrator.
- Q. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?**
- A.** I believe there are no specific steps that I need to take at this time to prepare myself for the duties of Under Secretary for Nuclear Security/Administrator, NNSA. The experience I have gained during the seven months in which I have been acting in this position, combined with four decades of national security background, has given me the requisite background and knowledge. Because of the broad scope of NNSA's responsibilities, I naturally expect to continue to learn and develop if I am confirmed.

Major Challenges

- Q. In your view, what are the major challenges confronting the next Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?**
- A.** I believe the most important challenges I face will include:

- Maintaining a safe, secure and reliable nuclear stockpile without underground nuclear testing.
- Managing the reorganization announced in December 2002 in a way that gains the promised benefits of increased effectiveness while ensuring fair and equitable treatment of people.
- Implementing the President and the Secretary's agenda on improving the protection of highly enriched uranium and plutonium worldwide in order to prevent this material from falling into the wrong hands.
- Ensuring that we continue the underlying science to support the stockpile of the future, adapting the current stockpile if needed.
- Maintaining adequate security for NNSA's facilities, assets and personnel, over the long term in the face of what may be a permanent transformation of the threat. Maintaining adequate security over the long term in the face of what may be a permanent, and continuous transformation of the threat. Ultimately we must move beyond guns, gates, and guards to a greater use of technology and a systems architecture for security.
- Replacing the experienced people who will be coming to the end of their Federal service over the next few years and sustaining a challenging and rewarding environment to recruit and retain the uniquely talented people that are so essential to our mission success.
- Continuing to modernize an aging infrastructure.
- Focusing on the future. My experience with Washington jobs is that it is very easy to be consumed by the urgency of the in-basket and very difficult to think about the future.

Q. If confirmed, what plans do you have for addressing these challenges?

A. I intend to work closely with my NNSA colleagues and the Congress on each of these issues. I believe successful implementation of the restructuring of NNSA is key to many of these issues, as is continued strong budgetary support from the Congress.

Q. Please explain the importance you place on continuing to ensure a unique organizational identity for the NNSA and what steps you would take to establish such an identity if confirmed?

- A. I am a strong supporter of maintaining a unique organizational identity for NNSA as a separately organized entity within the Department of Energy. Such an organizational identity is not an end in itself but a means to ensure effective implementation of NNSA's national security responsibilities to maintain the safety, security and reliability of the nuclear stockpile.

Thanks to the good work of my predecessor and the strong support of the Secretary of Energy, I do not believe I will need to take additional steps to establish such an identity. Instead I believe that, if confirmed, I should focus my energies on ensuring that NNSA delivers the benefits to the country for which it was created.

Overall Management

Q. In your view, when will the Department of Energy be able to say that the NNSA has been completely established and implemented as envisioned by the Congress when the NNSA was created in the FY 2000 National Defense Authorization Act?

- A. I believe that considerable progress has already been made. If we are able to implement the restructuring announced in December 2002 in a fashion that eliminates bureaucracy and improves oversight, if we are able to use new models of oversight to improve contractor performance, and if we are able to continue the fiscal discipline in planning, programming and budgeting established by my predecessor, then I believe that by the end of 2004 NNSA will be completely established and implemented as envisioned by the Congress when the NNSA was created.

Q. In addition to NNSA's current reorganization efforts, what else needs to be done to meet the vision for the NNSA as set forth in the FY2000 National Defense Authorization Act?

- A. My predecessor established NNSA as a separately organized entity, therefore my focus should be on making that entity effective and efficient in order to meet the intent of Congress. I believe the NNSA management resulting from the organizational decisions announced in December will be effective. The elimination of a layer of management and the creation of a service center should improve both efficiency and effectiveness. If confirmed, my primary management focus will be to ensure that this reorganization succeeds. I do not currently have additional initiatives to propose.

On December 20, 2002, NNSA announced a plan to restructure its management, including a twenty percent reduction in federal personnel in five years.

Q. How do you believe the NNSA management should be restructured to be more effective?

A. I believe the most important elements of the restructuring of December 2002 are the elimination of a management layer and of overlapping responsibilities and the clarification of lines of authority. I do not presently see the need for further major changes beyond those already announced.

Q. How will the announced personnel reductions help meet this goal?

A. I view personnel reductions as the result of the elimination of duplication and of a shift to a more effective mode of contractor oversight. Announcing them now forces NNSA managers to prioritize and streamline work and helps ensure that the benefits of our restructuring are actually achieved.

NNSA, in large measure, was created in response to security lapses at the Los Alamos National Laboratory. Unfortunately, we have seen that security lapses have continued to occur. Section 3212(b)(10) of the FY2000 National Defense Authorization Act provides that "the Administrator has authority over, and is responsible for, all programs and activities of the Administration, including administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories."

Q. If confirmed, what would be your plan to make sure that security lapses do not continue at the NNSA facilities?

Q. If confirmed, what policies would you institute to improve the manner in which managers of NNSA facilities deal with security matters?

A. I believe these two questions are so integrally related that they must be answered together. In my view, there is no single answer to improving security. Sound policies, constant management attention, vigorous programs of self-assessment and external review, a strong security culture, and a habit of sharing lessons learned across the complex are all required.

If confirmed, I would expect to place particular emphasis on the role of senior management. In my opinion, previous approaches to NNSA oversight confused the issue of accountability and responsibility. The new organization I announced on December 20, 2002, and which, if confirmed, I am determined to implement, places responsibility for security management squarely on the shoulders of the Federal line managers at each site. With clear responsibility and accountability should come stronger and more effective Federal oversight. At the same time, I believe that the contractors – especially the top managers – who operate NNSA

facilities must likewise be held accountable. I have attempted to do so while Acting Administrator and, if confirmed, will continue to do so.

Weapons Programs

Q. If confirmed, what specific steps would you take to retain critical nuclear weapons expertise, particularly design capabilities, in the NNSA workforce?

A. Design expertise resides in the three NNSA national laboratories, Los Alamos, Lawrence Livermore, and Sandia. I believe retaining experienced individuals at these laboratories is a function of providing them with a stable environment and with technically challenging work. Thus, if confirmed, I will work to resolve the uncertainties caused by current management problems at Los Alamos and to ensure that the NNSA budget continues to support a strong science component.

Q. If confirmed what specific steps would you take to ensure that new weapons designers are appropriately trained?

A. I believe new weapons designers are best trained by working on actual complex nuclear design issues. Ongoing efforts to extend the life of the current stockpile and science based stockpile stewardship provide some opportunity, but in addition I believe it is important to have a robust advanced concepts program. Such a program is, of course, valuable for other reasons as well; it helps provide options for future adaptation of the stockpile to meet changing conditions and capabilities to assess foreign nuclear weapons activities. If confirmed, I will work to ensure a sustained advanced concept program is an integral part of our overall weapons efforts.

Q. Do you support retaining the capability to re-manufacture every component expected to be found in the stockpile? Please explain what you believe are the most pressing re-manufacturing needs.

A. Yes, I support retaining such a capability. With only a few exceptions, each major nuclear weapon component will ultimately need to be replaced given an extended lifetime for current stockpiled weapons. To evaluate the most pressing production needs, the NNSA conducted a Production Readiness Assessment of the manufacturing sites within the Nuclear Weapons Complex, in 2000, 2001 and 2002. Collectively, these assessments addressed (1) the ability of the production complex to implement current schedules, (2) an estimate of the production capacity of the complex, and (3) an evaluation of our ability to rebuild, within 36 months, any item currently used in the enduring stockpile.

Of the current non-operational production capabilities the most significant areas of concern are primary and secondary nuclear component production. NNSA has programs in place to correct for these shortfalls. I expect LANL will deliver a certifiable W88 pit this year and a certified W88 pit by FY 2007. At the Y-12 plant in Tennessee, we have recently resumed wet chemistry operations and expect to have enriched uranium processes operational next year. If confirmed, I will support the continuation of these efforts.

Q. What role do you foresee nuclear weapons playing in U.S. defense and foreign policy strategies in the coming decade and beyond?

A. In January 2002, the President submitted the Nuclear Posture Review to the Congress. In that review, he noted that nuclear weapons will continue to be essential for assuring allies and friends of U.S. security commitments, dissuading arms competition, and deterring hostile leaders by holding at risk those installations that such leaders value and that cannot be held at risk by conventional means. At the same time, the President noted that fundamental changes in international security have taken place in recent years that require us to think of nuclear weapons as part of a “New Triad” of nuclear and non-nuclear strike capabilities, defensive forces, and a responsive defense R&D and industrial base of which the nuclear weapons enterprise is a key element. I believe this analysis of the role of nuclear weapons in defense and foreign policy will remain valid for the foreseeable future.

Q. What role will the Administrator of the NNSA play in determining U.S. defense and foreign policy and the role of nuclear weapons?

A. My predecessor played a significant role in the conduct of the Nuclear Posture Review. If confirmed, I would expect to play a similar role in any future reviews as well as in ongoing implementation of the Nuclear Posture Review. I would expect my major contribution would be in ensuring that the technical capabilities of the nuclear weapons complex were adequately considered in any policy deliberations.

Stockpile Stewardship Program

Q. When do you believe the science-based Stockpile Stewardship Program will be in a position to continuously certify our enduring nuclear weapons stockpile as safe, secure, and reliable, without the need for underground nuclear testing?

- A. In my view, it is not possible to predict when the Stockpile Stewardship Program will be in a position to continuously certify the Stockpile with such high confidence that we can guarantee that nuclear testing will never be required. I do not believe that Stockpile Stewardship and nuclear testing are alternatives. The goal of Stockpile Stewardship is to ensure a safe, secure, reliable, and effective nuclear deterrent. It is our hope to be able to do this without testing, and I foresee no immediate need for testing. But the complex conditions of a nuclear explosion and the inherent uncertainties associated with the aging of nuclear weapons make it impossible to preclude the possibility that we will someday need to test. In my view, a test to confirm or correct a problem identified by the Stockpile Stewardship Program is not a failure of stockpile stewardship, but a confirmation of the wisdom of the program.
- Q. What is your view of the Department of Energy (DOE) stockpile stewardship program and the likelihood that it will allow the U.S. to maintain its nuclear deterrent in the near- and long-term? Please identify any vulnerabilities that you see in the Stockpile Stewardship Program that should be addressed either by DOE or by Congress, and how they should be addressed.**
- A. I have great confidence in the Stockpile Stewardship Program and do not see any vulnerabilities requiring action at this time. Because this program is so important, I will, if confirmed, continue to monitor it closely and will promptly advise Congress if problems are identified. .
- Q. Do you believe that the DOE Stockpile Stewardship Program is fully integrated with Department of Defense requirements? If not, please explain those steps you would propose, if confirmed, to ensure that the plans and programs of the NNSA are fully integrated and linked with the requirements established by DOD.**
- A. Yes, I believe the program is appropriately integrated with the Department of Defense.
- Q. When do you anticipate there will be a 2003 annual stockpile memorandum?**
- A. The NNSA and the Department of Defense have been working to revise the stockpile structure to comply with the guidance from the Nuclear Posture Review. These efforts are nearing conclusion and I expect the next Nuclear Weapons Stockpile Memorandum to be submitted to the President in May 2003.

Nuclear Posture Review

The Nuclear Posture Review announced the Administration’s plan to reduce the number of operationally deployed strategic nuclear warheads to between 1700 and 2200 by the year 2012.

Q. With the large number of refurbishment and other life extension program activities planned over the next decade, is there enough facility capacity and personnel in the NNSA workforce to also take on a large increase in dismantlement during the same decade?

A. The current nuclear weapons industrial complex is limited in the number of weapons that can be processed at the Pantex Plant, with the work split among units undergoing surveillance, refurbishment or dismantlement. Planned renovations of existing facilities at Pantex will expand capacity sufficient to meet the anticipated Nuclear Posture workload. During the period FY 2008 through FY 2010—when three new refurbishments (W80, W76, B61) are underway—there would be only a small reserve capacity available to fix unanticipated problems in the stockpile, respond to new warhead production requirements, or handle a potentially increased dismantlement workload. That reserve capacity would increase after FY 2014. Under current planning assumptions, NNSA would not define a firm schedule for dismantlements; rather it would “load level” the Pantex operation by scheduling dismantlements in a way that does not interfere with ongoing refurbishments or new production.

Q. Does the Nuclear Posture Review have an effect on dismantlement rates?

A. Some warheads are likely to be retired and dismantled as a result of the Nuclear Posture Review, but that determination has not yet been made beyond reaffirming the earlier decision to retire the W62 warhead by 2009.

Q. What should be the policy for setting a priority between these potentially competing activities?

A. Under current planning assumptions, NNSA would not define a firm schedule for dismantlements; rather it would “load level” the Pantex operation by scheduling dismantlements in a way that does not interfere with ongoing refurbishments or new production. I believe this is a sound approach.

Q. What weapons systems, if any, will be dismantled as a result of the Nuclear Posture Review?

A. The President announced in November 2001 that the United States would reduce its operationally deployed strategic nuclear warheads to between 1700 and 2200 over the next 10 years. Some of the warheads removed from operational status

will become part of the responsive force while I expect others will be retired and dismantled. Specific decisions have not yet been made beyond reaffirming the earlier decision to retire the W62 warhead by 2009.

Facilities and Infrastructure

Upon its creation, NNSA inherited a dilapidated infrastructure throughout the aging nuclear weapons complex. At the request of the Department of Energy, Congress created the Facilities and Infrastructure Recapitalization Program (FIRP) in the FY 2002 Defense Authorization Act.

- Q. Although FIRP appears to be making good progress in revitalizing our infrastructure through elimination of maintenance backlogs, what would be your plan, if confirmed, to make sure the current and future maintenance needs, under the Readiness in Technical Base and Facilities program, are met to ensure FIRP goes out of business after ten years, as originally planned?**
- Q. What specific standards should be applied to ensure that the Readiness in Technical Base and Facilities program meets current and future maintenance needs across the nuclear weapons complex so that no additional scope is added to the FIRP?**
- A.** I believe that there are two primary tools to ensure that NNSA does not revert to the infrastructure problems of the past. The first is the strengthened Planning, Programming, Budgeting, and Evaluation program put in place by my predecessor. This program is producing a meaningful Future Years National Security Program that gives appropriate visibility to funding across the range of our programs to assure that we rebuild, revitalize and sustain our nuclear weapons program infrastructure.

The second tool is the establishment and implementation of a disciplined and integrated corporate infrastructure management program. This includes industry-based maintenance procedures and meaningful performance metrics for both the Readiness in Technical Base and Facilities and the Facilities Infrastructure Recapitalization Programs. A proven approach to knowing if investments in maintenance are having the desired effect is to measure the deferred maintenance backlog over time. NNSA has established goals for reducing the deferred maintenance backlog to within industry standards by FY 2009. Similarly, industry practices provide for an annual investment in current year maintenance to assure that the deferred maintenance backlog is not increased. Collectively, these two efforts work to recover and sustain the infrastructure.

If confirmed, I will support the continued development and use of these metrics in the both the Readiness in Technical Base and Facilities and the Facilities Infrastructure Recapitalization programs. Ultimately, prevention of a recurrence of the problems of the past requires a commitment to maintenance on the part of NNSA leadership, both federal and contractor. If confirmed I would ensure the implementation of a disciplined and integrated corporate infrastructure management program for the NNSA. I am committed to ensuring that NNSA facilities and infrastructure have prudent maintenance and adequate funding.

Q. What steps will you take to ensure that only the necessary construction projects are undertaken and how will you ensure that in ten years a new FIRP is not needed?

A. The NNSA's PPBE process, our formal process for construction project approval and evaluation and an integrated corporate infrastructure management program together would be the means by which we would assure effective management of our infrastructure. If confirmed, I would continue to assure focus and commitment to these efforts.

Q. How will you ensure that old unneeded facilities are torn down, or transferred so that they will not need long-term maintenance?

A. Currently NNSA intends to reduce the size of its nuclear complex through consolidation within existing sites and through the continued disposition of Cold-War legacy facilities via the Department's Environmental Management Program. Beyond this, our future efforts would include planning and execution for decommissioning, decontamination and disposition of excess facilities to reduce the nuclear weapons complex footprint and annual costs. If confirmed, I would continue this focus and I would work to assure that new construction projects are offset by an equal or greater reduction of square footage in our program.

Test Readiness

Q. If the President decides that underground nuclear testing is necessary, what are the long lead items which result in the scheduling of such testing two to three years in the future?

A. I believe that the most probable reason for conducting a nuclear test is to confirm a significant problem with a weapon critical to the nation's deterrent posture or to verify that a significant identified stockpile problem has been rectified. In this case, the pacing item will be the time to design the appropriate test and necessary instrumentation. Based on history, such design would probably take about 18 months (since we are speaking of a hypothetical problem, it is not possible to be

definitive). Thus I support reducing the test readiness at the Nevada Test site from the current 24-36 months to 18 months.

Q. In your view, what is the criteria by which the President should determine testing if necessary?

A. I believe that the President should authorize a nuclear test when such a test is the only means to confirm a significant problem with a weapon critical to the nation's deterrent posture or to verify that an identified stockpile problem has been rectified. If confirmed, I will not hesitate to recommend such testing if required, although I do not foresee a need for testing at this time.

Q. In your view, what is the optimal test readiness posture which NNSA should be aiming to meet?

A. I believe that readiness to test within 18 months of a decision to do so is appropriate for the foreseeable future. If confirmed, I will ensure that NNSA budget requests support such a readiness posture.

Q. What would your role be, if confirmed, in determining optimal test readiness?

A. If confirmed, I will regard determining optimal test readiness to be part of my responsibilities, subject to direction from the President or the Secretary of Energy and to the availability of necessary appropriations by the Congress.

Pit Production Capability and Modern Pit Facility

The Under Secretary of Defense for Policy stated in testimony before the Senate Armed Services Committee on February 14, 2002, "I believe that of the countries that have nuclear weapons we are the only one that does not have the capability to manufacture new nuclear weapons now."

Q. Please describe the progress being made at the Los Alamos National Laboratory to manufacture certifiable W88 pits by the end of fiscal year 2003.

A. The progress is good and I expect the milestone to be achieved on time. Los Alamos National Laboratory has met all critical path milestones required to manufacture a certifiable pit in FY03. In calendar year 2002, Los Alamos manufactured five development W88 pits on or ahead of schedule.

Q. Please describe the progress being made on the conceptual design work and environmental impact statement for a Modern Pit Facility.

A. Progress on a Modern Pit Facility is good. Following approval of mission need by Secretary Abraham in May 2002 and notification of Congress in September 2002, NNSA initiated conceptual design in October 2002. NNSA plans to complete all conceptual design work required for a critical decision on system requirements and alternatives in fiscal year 2006. A decision on proceeding with a Modern Pit Facility and, if we are to proceed, a decision on site selection should occur by March 2004, following the review required by the National Environmental Policy Act. If confirmed, I will work to ensure that these milestones are met.

Q. Has the Department of Defense made a final determination as to the annual number of pits by weapon type that are required?

A. No.

Secure Transportation Assets

NNSA is responsible for transporting nuclear weapons and special nuclear materials, including special nuclear materials being transported between Environmental Management (EM) sites.

Q. If confirmed, what would be your plan to make sure the growing demand for secure transportation assets, both within Defense Programs (DP) and EM sites, is met?

A. The Deputy Administrator for Defense Programs and the Assistant Secretary for Environmental Management are working together to integrate defense and environmental management requirements. I would encourage this process to continue. Ultimately, I believe we will need to increase the number of secure transportation assets, especially federal agents. If confirmed, I will support existing plans for such an increase.

Q. In your view should EM pay for the cost of shipping such material, including capital investment needed to meet their cleanup schedules?

A. NNSA provides transportation of nuclear materials as a service to the entire Department, funding such transportation from within the NNSA budget. At present, I see no need to change this process, but will continue to review the issue if confirmed.

- Q. In your view should NNSA pay for costs of shipping to other DOE programs?**
- A.** NNSA provides transportation of nuclear materials as a service to the entire Department, funding such transportation from within the NNSA budget. At present, I see no need to change this process, but will continue to review the issue if confirmed.

Security Versus Science

Despite recent counterintelligence and security failures at the Department of Energy's nuclear weapons labs, many have opposed implementing enhanced security and counterintelligence measures for fear that doing so would endanger the viability of the science and research programs carried out at these labs.

- Q. Can you describe the relative importance you place on maintaining the scientific capabilities of the weapons labs and a vigilant security and counterintelligence posture?**
- A.** In my view, both are essential to the effective execution of our national security mission. Without great science, effective security would be meaningless. Without effective security and counterintelligence, the classified science so critical to national security could not be protected.
- Q. Do you believe these goals are at cross-purposes?**
- A.** Not at all. The two goals should be complementary; we cannot achieve success in great science if such success is at the expensive of national security, and vice versa. However, we must work hard to better integrate the two.
- Q. If confirmed, what would your plans be for implementing a revised polygraph program?**
- A.** The Secretary of Energy is legally required to promulgate a rule implementing a revised polygraph program, taking into account the results of the October 8, 2002 National Research Council Report "The Polygraph and Lie Detection." I am participating in the development of that revised policy. Pending completion of our work, it is not possible to comment on specific plans for implementing a revised program.

Management of the NNSA

Q. What do you understand the role of the Administrator of the NNSA to be relative to the Secretary of Energy and the Deputy Secretary of Energy?

A. As the head of a separately organized Administration within the Department of Energy, the Administrator of the NNSA reports directly to the Secretary. Simply put, I work for the Secretary and Deputy Secretary.

Q. If confirmed, will you take direction from the Secretary of Energy and the Deputy Secretary of Energy with regard to:

The organization of the National Nuclear Security Administration;

The management of the National Nuclear Security Administration;

Policy development and guidance;

Budget formulation, guidance, and execution, and other financial matters;

Resource requirements determination and allocation;

Program management and direction;

Safeguards and security;

Emergency management;

Integrated safety management;

Environment, safety, and health operations;

Administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories;

Intelligence;

Counterintelligence;

Personnel; and Legal and legislative matters?

A. Each of these areas is a formal responsibility of the Administrator as set forth in Section 2402 of the NNSA Act. I would therefore neither seek nor expect direction from either the Secretary or the Deputy Secretary in these areas on a routine basis (direction to modify the NNSA organization is prohibited by Section 2409 of the NNSA Act). In the seven months I have been Acting Administrator, neither the Secretary nor the Deputy Secretary have sought to involve themselves in the internal functioning of NNSA. If, in the future, I received direction in these areas, I would, of course, accept it.

Q. What is your view of the authority of the Secretary of Energy and the Deputy Secretary of Energy to meet with, receive briefings and information from, and provide direction to, officers and employees of the NNSA, including the Directors of the National Laboratories?

A. As I understand the NNSA Act, in providing direction to officers and employees of NNSA, the Secretary or Deputy Secretary are to act through the Administrator. The Secretary and Deputy Secretary can gather information in any way they chose, including by the use of staff.

Q. Do you believe that the expertise of Department of Energy personnel serving outside the NNSA can be helpful to you if you are confirmed as Administrator?

A. Yes.

Q. What is your understanding of your authority to draw on that expertise?

A. I understand that I have essentially unlimited authority, except for dual-hatting.

Q. To what extent would you expect to do so?

A. If confirmed I would expect to draw on wider expertise as required. My experience suggests that detailing specific individuals to NNSA has been the most productive way to draw on such expertise. In addition, my predecessor made a number of formal arrangements that I would continue. For example, he arranged to use the DOE Office of Independent Oversight and Performance Assurance to conduct reviews of NNSA environment, safety, health, security, cyber security and emergency management activities, rather than attempt to create a comparable NNSA review function. As another example, DOE's Office of Environment, Safety and Health conducts investigations under the Price-Anderson Act on my behalf.

- Q. Would it be helpful to you, if confirmed, to be able to draw upon the expertise of Department of Energy personnel outside the NNSA through details, dual-hatting, or other available personnel authorities?**
- A.** Yes, with the exception of dual-hatting, which I believe to be inconsistent with the concept of a separately organized NNSA.
- Q. In your view, should the Department of Energy have a single Counter-Intelligence czar, who serves as both the head of the Department-wide Office of Counterintelligence and the Chief of Defense Nuclear Counterintelligence?**
- A.** The National Counter Intelligence Executive was tasked by Congress to conduct a study of this issue. The National Counter Intelligence Executive report was completed in January 2003 and recommended the two programs be consolidated with a single manager reporting to the Secretary of Energy. I am still reviewing these conclusions and have not yet formed a final opinion.
- Q. What is your view of the extent to which the National Nuclear Security Administration is bound by the existing rules, regulations, directives and guidance of the Department of Energy?**
- A.** In general, the National Nuclear Security Administration is bound by the existing rules, regulations, directives and guidance of the Department of Energy. The Administrator is authorized to issue Administration-specific policies, which may modify DOE directives, unless disapproved by the Secretary of Energy. I believe that the appropriate model is for the Secretary to set Department policy while the Administrator interprets policy for implementation within the NNSA. If confirmed, I would expect to develop a separate set of implementation guides for many Departmental orders.

Defense Nuclear Nonproliferation Programs

The majority of the programs within the Office of Defense Nuclear Nonproliferation deal with securing, accounting for, and disposing of former Soviet Union WMD and their related expertise.

- Q. What is your view of expanding these programs beyond the states of the former Soviet Union to address the emerging threats posed by the proliferation of WMD arsenals and expertise?**

- A. I am in favor of expanding programs for securing, accounting for, and disposing of weapons-useable nuclear material (taking such actions with respect to other weapons of mass destruction is not, in my view, an appropriate responsibility for the National Nuclear Security Administration). At the same time, the United States has concentrated on Russia because that is where the greatest amount of at-risk material is. Further, the countries typically identified for potential assistance (India, Pakistan, and China, for example) have thus far shown no interest in U.S. assistance. Because the material protection control and accounting efforts of the United States government are inherently cooperative, this may make it difficult to expand to other countries.
- Q. In your view, are any improvements needed in the Defense Nuclear Nonproliferation Programs? If so, what improvements would you recommend?**
- A. I have not identified any specific improvements required in the Defense Nuclear Nonproliferation Program. These programs appear generally effective and well managed. My biggest concern is the continued slow pace of commitments to specific programs by our international partners under the G8 Global Partnership

Nuclear Explosions Monitoring

- Q. In your view, are the capabilities of the United States for monitoring nuclear explosions sufficient to detect any nuclear explosions?**
- A. No. Remote detection of nuclear explosions under all possible evasive and low yield scenarios is not technically possible.
- Q. What additional steps do you believe could be taken by the NNSA which could enhance our nuclear explosions monitoring capabilities?**
- A. The NNSA research and engineering program on nuclear explosion monitoring is dedicated to maintaining US detection capability on satellite-based systems and the analysis of data from ground-based geophysical systems. Historically NNSA supports the science and technology foundations to sustain existing and future monitoring of nuclear testing. I do not currently believe that there are additional steps that NNSA should be taking in this area.

Congressional Oversight

In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Q. Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

A. Yes

Q. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

A. Yes

Q. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary for Nuclear Security, Department of Energy and Administrator, NNSA?

A. Yes

Q. Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

A. Yes

Q. Do you agree to comply with statutory reporting requirements, including the annual weapons program report?

A. Yes